

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

DANIEL BARRERA,

Plaintiff,

v.

Case No. 6:20-cv-1639-RBD-GJK

HOME PARAMOUNT PEST  
CONTROL COMPANY,

Defendant.

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Plaintiff sued Defendant for failure to pay overtime wages under the Fair Labor Standards Act ("FLSA") and for violations of the Family Medical Leave Act. (Doc. 1.) The parties moved for approval of their FLSA settlement agreement under *Lynn's Food Stores, Inc. v. United States ex rel. United States Department of Labor*, 679 F.2d 1350, 1355 (11th Cir. 1982). (Doc. 27 ("Motion"); Doc. 27-1 ("Agreement").) On referral, U.S. Magistrate Judge Gregory J. Kelly recommends granting the Motion in part. (Doc. 28 ("R&R").) He recommends striking the modification and confidentiality provisions, finding the Agreement fair and reasonable with these changes. (*Id.*)

The parties filed a notice of no-objection to the R&R. (Doc. 29.) So the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at \*1 (M.D. Fla. Jan. 28, 2016); *see also*


*Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the R&R is adopted in its entirety.

It is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 28) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The parties' Joint Motion for Approval of the FLSA Settlement (Doc. 27) is **GRANTED IN PART AND DENIED IN PART**:
  - a. The Court **STRIKES** the modification and confidentiality provisions of paragraphs 7(a) and 12 from the Agreement;
  - b. With these changes, the parties' Agreement (Doc. 27-1) is **APPROVED**;
  - c. This case is **DISMISSED WITH PREJUDICE**;
  - d. In all other respects, the Motion is **DENIED**.
3. The Clerk is **DIRECTED** to close the file.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on April 13, 2021.



  
ROY B. DALTON JR.  
United States District Judge